VIRGINIA:



BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER VGOB-00-1017-0830

ELECTIONS: UNIT FF-24 (herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on December 11, 2000 which was recorded at Deed Book 517, Page 146 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on December 20, 2000, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed POCAHONTAS GAS PARTNERSHIP (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates that the escrow of funds is required with regard to Unit FF-24;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Union National Bank, Corporate Trust PA1328,123 Broad Street, Philadelphia, PA 19109-1199, Telephone: (215) 985-3485 or (800) 664-9359, Attn: Don Ballinghoff, or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven seven (7) days from the date of receipt of this Order.

<u>Conclusion:</u> Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 8 day of 1000, 2001, by a majority of the Virginia Gas and Oil Board.

Chairman, Benny R. Vampler

STATE OF VIRGINIA COUNTY OF WISE

Acknowledged on this Honor day of 2001, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Susan G. Garrett

My commission expires: 7/31/02.

DONE AND PERFORMED THIS 13th day of florender, 2001, by Order of the Board.

B. R. Wilson,

Director of the Division of Gas & Oil Board and Principal Executive to the Board

STATE OF VIRGINIA COUNTY OF WASHINGTON

Acknowledged on this <u>James of Mountains</u>, 2001, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.

My commission expires: 9/3D/2005

Order Recorded Under Code of Virginia Section 45.1-361.26

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas Partnership for Forced Pooling of Interests in CBM Unit FF-24 VGOB-00-1017-0830 in the Hurricane District of Buchanan County, Virginia

AFFIDAVIT OF POCAHONTAS GAS PARTNERSHIP (herein "Designated Operator") REGARDING ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by Consol Energy Inc., as a Gas Engineer and is duly authorized to make this affidavit on behalf of POCAHONTAS GAS PARTNERSHIP, the designated operator,

That the Order entered on December 11, 2000, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the county identified above; that said Order was recorded on December 20, 2000;

That the designated operator POCAHONTAS GAS PARTNERSHIP has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That the following persons attempted to make an election after the time to do so had expired:

James D. Rasnake

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of December 11, 2000;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be added as respondents; the Operator requests that the following persons be added as Respondents:

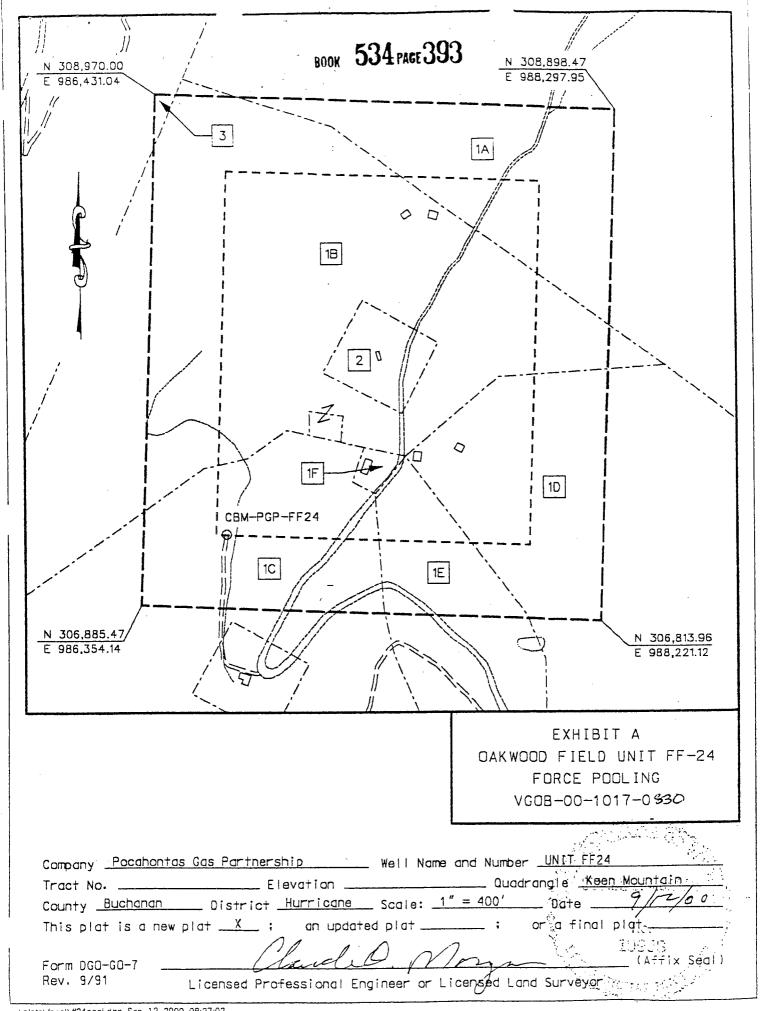
Laura Hale Boyd Heirs et al. including Ardue Boyd Heirs, Devisees, Successors or Assigns, Mary Boyd Cook Heirs, Devisees, Successors or Assigns, Milton Boyd Heirs, Devisees, Successors or Assigns, Myrtle Boyd Baldwin, Vernie Baldwin, Trula Greenwood, Nell Stiltner, Marion Boyd Jr. Heirs, Devisees, Successors or Assigns, Irson Boyd Heirs, Devisees, Successors or Assigns, Marcus Boyd, Angie Boyd, James Thurman Boyd and James D. Rasnake

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Tazewell, Virginia, this 2 day of APRIL, 2001. Ruslie K. Arrington
Taken, subscribed and sworn to before me by Leslie K. Arrington as Gas Engineer of Consol Energy Inc., or behalf of the corporate Designated Operator, this day of day of , 2001. Sherry Consol Energy Inc., or behalf of the corporate Designated Operator, this day of Notary
My commission expires:



POCAHONTAS GAS PARTNERSHIP

Unit FF-24

Tract Identifications

- 1A. Hugh MacRae Land Trust TR 9 Coal
 Conscilidation Coal Company Below Tiller coal Leased
 Permac, Inc. Tiller and above coal Leased
 Pocahontas Gas Partnership CBM Leased
 Ellen Fletcher, et ai Oil & Gas
 Floyd Blankenship Jr. Surface
 13.20 acres 14.78329%
- 1B. Hugh MacRae Land Trust TR 9 Coal
 Consolidation Coal Company Below Tiller coal Leased
 Permac. Inc. Tiller and above coal Leased
 Pocahontas Gas Partnership CBM Leased
 Carlos Hale Heirs Surface, Oil & Gas
 40.87 acres
 45.77220%
- 1C. Hugh MacRae Land Trust TR 9 Coal
 Consolidation Coal Company Below Tiller coal Leased
 Permac, Inc. Tiller and above coal Leased
 Pocahontas Gas Partnership CBM Leased
 Pocahontas Gas Partnership Surface, Oil & Gas
 13.39 acres 14.99608%
- 1D. Hugh MacRae Land Trust TR 9 Coal
 Consolidation Coal Company Below Tiller coal Leased
 Permac, Inc. Tiller and above coal Leased
 Pocahontas Gas Partnership CBM Leased
 Arnold S. Fale Surface, Oil & Gas
 13.21 acres 14.79449%
- 1E. Hugh MacRae Land Trust TR 9 Coal
 Consolidation Coal Company Below Tiller coal Leased
 Permac, Inc. Tiller and above coal Leased
 Pocahontas Gas Partnership CBM Leased
 Pocahontas Gas Partnership Surface, Oil & Gas
 5.12 acres 5.73412%
- 1F. Hugh MacRae Land Trust TR 9 Coal
 Consolidation Coal Company Below Tiller coal Leased
 Permac, Inc. Tiller and above coal Leased
 Pocahontas Gas Partnership CBM Leased
 Larry Hale Oil & Gas
 0.53 acres
 0.59357%
- 2. Carlos Haie Heirs Fee 2.75 acres 3.07985%

BOOK 534 PAGE 395 POCAHONTAS GAS PARTNERSHIP Unit FF-24

Tract Identifications

3. Buckhorn Coal Mining - Tr. 7 - Coal, Oil & Gas
Consolidation Coal Company - Below Tiller coal Leased
Permac, Inc. - Tiller and above coal Leased
Pocahontas Gas Partnership - CBM Leased
0.22 acres
0.24639%

Exhibit B-2 Unit FF-24

Docket No. VGOB-00-1017-0830 List of Respondents to be Added

> **Net Acres** in Unit

Interest in Unit

Reason for Addition

OIL & GAS FEE OWNERSHIP

Tract #1A - 13.20 acres

Ellen Fletcher et al.

13.20 acres

14.78%

(2) Laura Hale Boyd Heirs et al.

1.65 acres

1/8 of 13.20 acres

1.85%

Due Diligence

(1) Laura Hale Boyd Heirs, Devisees, Successors or Assigns

*Individual fractional interests not yet determined

- (a) M. R. Boyd Heirs, Devisees, Successors or Assigns
 - (a.1) Ardue Boyd, Heirs, Devisees, Successors or Assigns Address Unknown
 - (a.2) Mary Boyd Cook, Heirs, Devisees, Successors or Assigns Address Unknown
 - (a.3) Milton Boyd, Heirs, Devisees, Successors or Assigns Address Unknown
 - (a.4) Myrtle Boyd Baldwin 1045 East Jarvis Street Hazel Park, MI 48030-1863
 - (a.5) Vernie Baldwin Address Unknown
 - (a.6) Trula Greenwood Maple Grove Hampstead, MD 21074
 - (a.7) Nell Stiltner Address Unknown
 - (a.8) Marion Boyd Jr., Heirs, Devisees, Successors or Assigns Address Unknown
 - (a.9) Irson Boyd, Heirs, Devisees, Successors or Assigns 30775 Alger Street Madison Heights, MI 48071-1830
 - (a.10) Marcus Boyd Address Unknown
 - (a.11) Angie Boyd Address Unknown
 - (a.12) James Thurman Boyd Address Unknown

Page 1 of 2

3/26/01

Exhibit B-2 Unit FF-24

Docket No. VGOB-00-1017-0830 List of Respondents to be Added

	Net Acres	Interest in	Reason
	in Unit	Unit	for Addition
(2) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.30 acres 2/11 of 1.65 acres	0.34%	

Exhibit B-3 Unit FF-24 Docket No. VGOB-00-1017-0830 List of Unleased Owners/Claimants

	فنزلج فنجزجن فرعوس ف		Net Acres in Unit	Interest in Unit
i.	COAL FI	EE OWNERSHIP		
	Tract #2	- 2.75 acres		
		arlos Hale Heirs, Devisees, uccessors or Assigns	2.75 acres	3.07985%
	P.	orene Hale O. Box 841 edar Bluff, VA 24609	0.69 1/4 of 2.75 ac	0.76996% res
	H	amela J. Keene C65 Box 18B akwood, VA 24631	0.69 1/4 of 2.75 ac	0.76996% res
	Rt	amie Hale 1.2 Box 468 aysi, VA 24256	0.69 1/4 of 2.75 ac	0.76996% res
	19	effery C. Hale 126 Zacks Fork Road enoir, NC 28645	0.69 1/4 of 2.75 ac	0.76996% res
II.	OIL & G	AS FEE OWNERSHIP		
	Tract #1/	4 - 13.20 acres		
	EI	len Fletcher et al.	13.20 acres	14.78%
	(2) La	ura Hale Boyd Heirs et al.	1.65 acres 1/8 of 13.20 a	1.85% cres
		ura Hale Boyd Heirs, Devisees, uccessors or Assigns	*Individual fractional inte	rests not yet determi
		R. Boyd Heirs, Devisees, accessors or Assigns		
	(a.	Ardue Boyd, Heirs, Devisees, Successors or Assigns Address Unknown		
	(a.	Mary Boyd Cook, Heirs, Devisees, Successors or Assigns Address Unknown		
	(a.	Milton Boyd, Heirs, Devisees, Successors or Assigns Address Unknown		
	(a.	 Myrtle Boyd Baldwin 1045 East Jarvis Street Hazel Park, MI 48030-1863 		
	(a.	5) Vernie Baldwin		

Address Unknown

Exhibit B-3 Unit FF-24

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Docket No. VGOB-00-1017-0830 List of Unleased Owners/Claimants

	Net Acres in Unit	Interest in Unit
(a.6) Trula Greenwood Maple Grove Hampstead, MD 21074		
(a.7) Nell Stiltner Address Unknown		
(a.8) Marion Boyd Jr., Heirs, Devisees, Successors or Assigns Address Unknown		
(a.9) Irson Boyd, Heirs, Devisees,Successors or Assigns30775 Alger StreetMadison Heights, MI 48071-1830		
(a.10) Marcus Boyd Address Unknown		
(a.11) Angie Boyd Address Unknown		
(a.12) James Thurman Boyd Address Unknown		
(2) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.30 acres 2/11 of 1.65 acres	0.34%
<u>Tract #1B - 40.87 acres</u>		
Carlos Hale Heirs, Devisees, Successors or Assigns	40.87 acres	45.77220%
(1) Lorene Hale P.O. Box 841 Cedar Bluff, VA 24609	10.22 1/4 of 40.87 acres	11.44305%
(2) Pamela J. Keene HC65 Box 18B Oakwood, VA 24631	10.22 1/4 of 40.87 acres	11.44305%
(3) Jamie Hale Rt.2 Box 468 Haysi, VA 24256	10.22 1/4 of 40.87 acres	11.44305%
(4) Jeffery C. Hale1926 Zacks Fork RoadLenoir, NC 28645	10.22 1/4 of 40.87 acres	11.44305%
Tract #1D - 13.21 acres		
(1) Arnold S. Hale, et ux. HC65 Box 18 Oakwood, VA 24631	13.21 acres	14.79449%

Unit FF-24 ROOK Docket No. VGOB-00-1017-0830 List of Unleased Owners/Class List of Unleased Owners/Claimants

		Net Acres in Unit	Interest in Unit
<u>Tract</u>	#1F - 0.53 acres		
(1)	Larry Hale, et al. HC65 Box 118A Oakwood, VA 24631	0.53 acres	0.59357%
Tract	#2 - 2.75 acres		
	Carlos Hale Heirs, Devisees, Successors or Assigns	2.75 acres	3.07985%
(1) Lorene Hale P.O. Box 841 Cedar Bluff, VA 24609	0.69 1/4 of 2.75 acres	0.76996%
(2) Pamela J. Keene HC65 Box 18B Oakwood, VA 24631	0.69 1/4 of 2.75 acres	0.76996%
(3) Jamie Hale Rt.2 Box 468 Haysi, VA 24256	0.69 1/4 of 2.75 acres	0.76996%
(4) Jeffery C. Hale 1926 Zacks Fork Road Lenoir, NC 28645	0.69 1/4 of 2.75 acres	0.76996%

Exhibit E Unit FF-24

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Docket No. VGOB-00-1017-0830

List of Conflicting Owners/Claimants that require escrow

ni na y rini y	Net Acres in Unit		Interest in Unit	
#1A - 1	3,20 acres			
COAL	FEE OWNERSHIP			
(1)	Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madision Avenue, 20th Floor New York, NY 10022	13.20 acres	14.78329%	
(2)	Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
OIL 8	GAS FEE OWNERSHIP			
	Ellen Fletcher et al.	13.20 acres	14.78%	
(1)	Ellen Fletcher et al. P.O. Box 187 Tazewell, VA 24651	11.55 acres 7/8 of 13.20 acres	12.94%	
(2)	Laura Hale Boyd Heirs et al.	1.65 acres 1/8 of 13.20 acres	1.85%	
(1)	Laura Hale Boyd Heirs, Devisees, Successors or Assigns	*Individual fractional interests	not yet determi	
(a)	M. R. Boyd Heirs, Devisees, Successors or Assigns			
	(a.1) Ardue Boyd, Heirs, Devisees, Successors or Assigns Address Unknown			
	(a.2) Mary Boyd Cook, Heirs, Devisees, Successors or Assigns Address Unknown			
	(a.3) Milton Boyd, Heirs, Devisees, Successors or Assigns Address Unknown			
	(a.4) Myrtle Boyd Baldwin			

1045 East Jarvis Street Hazel Park, MI 48030-1863

Hampstead, MD 21074

Address Unknown

Address Unknown

(a.5) Vernie Baldwin

(a.6) Trula Greenwood Maple Grove

(a.7) Nell Stiltner

Exhibit E Unit FF-24

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Docket No. VGOB-00-1017-0830 List of Conflicting Owners/Claimants that require escrow

		Net Acres in Unit	Interest in Unit
	(a.8) Marion Boyd Jr., Heirs, Devisees, Successors or Assigns Address Unknown		
	(a.9) Irson Boyd, Heirs, Devisees, Successors or Assigns 30775 Alger Street Madison Heights, MI 48071-1830		
	(a.10) Marcus Boyd Address Unknown		
	(a.11) Angie Boyd Address Unknown		
	(a.12) James Thurman Boyd Address Unknown		
(2)	James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.30 acres 2/11 of 1.65 acres	0.34%
<u>Tract #1B - 4</u>	10.87 acres		
COAL	FEE OWNERSHIP		
(1)	Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madision Avenue, 20th Floor New York, NY 10022	40.87 acres	45.77220%
(2)	Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122		
OIL 8	GAS FEE OWNERSHIP		
	Carlos Hale Heirs, Devisees, Successors or Assigns	40.87 acres	45.77220%
(1)	Lorene Hale P.O. Box 841 Cedar Bluff, VA 24609	10.22 1/4 of 40.87 acres	11.44305%
(2)	Pamela J. Keene HC65 Box 18B Oakwood, VA 24631	10.22 1/4 of 40.87 acres	11.44305%
(3)	Jamie Hale Rt.2 Box 468 Haysi, VA 24256	10.22 1/4 of 40.87 acres	11.44305%
(4)	Jeffery C. Hale 1926 Zacks Fork Road Lenoir, NC 28645	10.22 1/4 of 40.87 acres	11.44305%

Exhibit E Unit FF-24

BOOK 534 PAGE 403

Docket No. VGOB-00-1017-0830 List of Conflicting Owners/Claimants that require escrow

		Net Acres in Unit	Interest in Unit
<u> Tract #1D - 1</u>	13.21 acres		
COAL	FEE OWNERSHIP		
(1)	Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madision Avenue, 20th Floor New York, NY 10022	13.21 acres	14.79449%
(2)	Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122		
OIL 8	& GAS FEE OWNERSHIP		
(1)	Arnold S. Hale, et ux. HC65 Box 18 Oakwood, VA 24631	13.21 acres	14.79449%
<u>Tract #1F - (</u>	0.53 acres		
COAL	FEE OWNERSHIP		
(1)	Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madision Avenue, 20th Floor New York, NY 10022	0.53 acres	0.59357%
(2)	Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122		
OIL 8	GAS FEE OWNERSHIP		
(1)	Larry Hale, et al. HC65 Box 118A Oakwood, VA 24631	0.53 acres	0.59357%

Exhibit EE Unit FF-24

Docket No. VGOB-00-1017-0830

List of Conflicting Owners/Claimants with Royalty Split Agreements

		Net Acres in Unit	Interest in Unit	
ract #1C - 1	13.39 acres			
COAL	FEE OWNERSHIP			
(1)	Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madision Avenue, 20th Floor New York, NY 10022	13.39 acres	14.99608%	
(2)	Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
OIL	& GAS FEE OWNERSHIP			
(1)	Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	13.39 acres	14.99608%	
ract #1E -	5.12 acres			
COA	L FEE OWNERSHIP			
(1)	Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madision Avenue, 20th Floor New York, NY 10022	5.12 acres	5.73412%	
(2)	Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
OIL	& GAS FEE OWNERSHIP			
(1)	Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	5.12 acres	5.73412%	

		,			
VIRGINIA:	In the Clerk's O	ffice of the Qircui	it Court of Buchanan	County. The fore	going instrument
was this day pres	ented in the Andfice		together with the certification of the certificatio		
admitted to recor	d this	day of	Im ph , 2001	(1)	M.
Deed Book No	34 strick P	age No. 389.	TESTE:	James M.	Bevins, Jr., Clerk
Returned this dat	e to:	me.	TESTE:	James M./	h Deputy Clerk